



## *City of Lowell - Planning Board*

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**OFFICE OF THE CITY MANAGER**  
**DIVISION OF PLANNING AND DEVELOPMENT**  
JFK Civic Center  
50 Arcand Drive  
Lowell, MA 01852  
978-446-7151

September 5, 2006

Mayor William Martin  
Members of the Lowell City Council  
City Hall  
Lowell, MA 01852

RE.: Report and Recommendation on Proposed Amendment to the Code of Ordinances City of Lowell, Massachusetts, with respect to Appendix A thereof entitled "Zoning," concerning the proposed addition of Section 8.4: Accessory Dwelling Units.

Dear Mayor Martin and Members of the City Council:

The Lowell Planning Board held a Public Hearing on Monday, August 21, 2006 concerning a proposed Zoning Ordinance amendment (copy attached) pertaining to proposed addition of Section 8.4: Accessory Dwelling Units. Public comment included the several people speaking in favor of the theory of the ordinance amendment, expressing several concerns about the current draft of the ordinance. These members of the public include Jerry Frechette (80 Dunbar Avenue), Mehmed Ali (226 Mt. Hope Street), and Richard Sousa (101 Ursula Street). The concerns expressed by the public were further reiterated by the Board, and are outlined below. All Planning Board members were present.

At the meeting held on August 21, 2006 Member Joseph Clermont moved and Member Mary Burns seconded and the Board voted unanimously (4-0) to recommend approval of the Accessory Dwelling Unit ordinance conditional upon addressing of the issues listed below regarding the current draft of the ordinance.

While Board agrees that the ordinance is good in theory and warranted to regulate the development of accessory dwelling units within the City, prior to adoption, the Board requested further discussion at a meeting of the City Council Zoning Subcommittee with the ZBA and Planning Board invited, specifically to address the following:

1. The general focus of the ordinance should be changed from an ordinance allowing accessory dwelling units as income generating properties to an ordinance allowing accessory dwelling units for family members only.
2. Some assurances should be provided to ensure the properties with such accessory dwelling units do not turn into two family properties. Assurances can be in the form of required property deed language to ensure a family member of the primary owner of the property resides in the accessory dwelling unit.
3. The ordinance should better define the policing of the accessory dwelling units, such as by adding time limits on the special permits granted for such projects requiring their review every several years.
4. Assurances should be provided to limit the size of the accessory dwelling units as they relate to the primary dwelling unit on the lot.

5. Though warranted in the more historic neighborhoods in the City, detached accessory dwelling units should not be allowed.

If you have any questions or need any assistance, please feel free to contact me at the Division of Planning and Development at 970-4252.

Sincerely,

James Errickson  
Associate Planner/Planning Board Administrator

enc.

cc: Bernard Lynch, City Manager  
J. Matthew Coggins, Assistant City Manager/DPD Director  
Christine O'Connor, City Solicitor  
Adam Baacke, DPD Deputy Director  
George Proakis, DPD Chief Planner